

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA and
THE STATE OF OHIO,

Plaintiffs,

V.

NORTHEAST OHIO REGIONAL
SEWER DISTRICT,

Defendant.


CASE NO. 1:10 CV 2895

JUDGE DONALD C. NUGENT

MEMORANDUM OPINION
AND ORDER

This matter is before the Court on non-party, Eugene P. Holmes motion to appear and file additional information, as well as his motion for direction from the Court. (ECF #12, 18). Mr. Holmes is not a party to this action. Much of the information he seeks to present to the Court has been presented during the public comment period regarding the proposed consent decree, which has been submitted for the Court's consideration in this case. As with Mr. Holmes earlier submissions to the Court, these comments are in the nature of a public comment and are more appropriately addressed through that process. Mr. Holmes' filings shall be deemed to be in the

nature of a public comment that should be addressed by the United States as part of its evaluation of public comments. The Court will review public comments that were timely and properly submitted in response to the publication in the Federal Register of the lodging of the Consent Decree in December of 2010 as part of the overall analysis and consideration of the proposed Consent Decree in this case. Mr. Holme's motions (ECF #12, 18), however, are not properly filed in the context of this litigation, and are, therefore, DENIED. IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: June 21, 2011